



Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

APR 23 2002

on April 9, 2002
Date

TECH CENTER 1600/2900

Melissa McCullin
Signature

MELISSA MCCULLIN

Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

09/686,522

BB1165USNA

PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

AMENDMENT AND PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. 1.48(b)

FEE TRANSMITTAL

RETURN RECEIPT CARD

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

REBECCA E. CAHOON ET AL.

APPLICATION NO.: 09/686,522

FILED: OCTOBER 11, 2000

CONFIRMATION NO.: 5214

FOR: PHYTIC ACID BIOSYNTHETIC ENZYMES



CASE NO.: BB1165 US NA

GROUP ART UNIT: 1634

EXAMINER: TAYLOR, JANELL E.

#11/B
CP
4/25/02

RECEIVED

APR 23 2002

TECH CENTER 1600/2900

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Office Action of March 19, 2002, and before examination on the merits, please amend the above-referenced application as follows and consider the following remarks.

IN THE CLAIMS:

Please cancel claims 16-31, 37-42, and 47.

Please replace the following new claims:

32. "amended" An isolated polynucleotide comprising:

(a) a nucleotide sequence encoding a polypeptide having extragenic suppressor activity, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:14 have at least 80% identity based on the Clustal alignment method, or

(b) the complement of the nucleotide sequence. *x32*

x33 33. "amended" The polynucleotide of claim 32, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:14 have at least 90% identity based on the Clustal alignment method. *x32*

34X 34. "amended" The polynucleotide of claim 32, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:14 have at least 95% identity based on the Clustal alignment method. *x32*

35A 35. "amended" The polynucleotide of claim 32 comprising the nucleotide sequence of SEQ ID NO:13. *x32*

36X 36. "amended" The polynucleotide of claim 32, wherein the polypeptide comprises the amino acid sequence of SEQ ID NO:14. *x32*

45

B